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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,346	12/23/2003	John P. Jonas	08215-541001 / P03-026852	4713
26171	7590	05/19/2005	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			BENENSON, BORIS	
			ART UNIT	PAPER NUMBER
			2836	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

EJL

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/743,346	JONAS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Boris Benenson	2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                    |                                                                             |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____                                                |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/03/05</u>                                                               | 6) <input type="checkbox"/> Other: _____                                    |

Art Unit: 2836

***Detailed Actions  
Drawings***

1. Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hollenbeck (6,112,535). Hollenbeck

Art Unit: 2836

disclosed a system wherein a housing unit (Fig.1, Pos. 22) connected to electrical system (20) comprising a power switching circuit (34) read on a switchgear mechanism, an electronic commutation circuit (36) read on electronic control circuit for monitoring and controlling the switchgear mechanism. All the elements of the system including sensing circuit (40), the electronic control circuit (36) and over temperature circuit (50) are embedded within the housing unit.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art in view of Trümper (4,367,900). Applicants disclose "a **conventional** high voltage switchgear system (Fig.1, Pos 100 and Fig.2, Pos. 200) includes two sections: the switchgear (205) and the electronic controls (210)" (Page 5, Lines 16-

Art Unit: 2836

18).. Applicants disclose, "In general, the switchgear 105 is part of a system for controlling and monitoring the operation of the electrical system 100 by providing fault protection to open and/or isolate problem areas based on trouble that may be sensed by a remotely-located protective relay, a controller, or the switchgear 105 itself. The switchgear may include assemblies of switching or interrupting devices, along with control, metering, protective, and regulating devices. For example, the switchgear may be a recloser, a switch, or a breaker. In one implementation, the switchgear may provide switching and/or tying operations between connections of the electrical system" (Page 4, Lines 17-25). Applicants didn't disclose as **conventional** read on **Prior Art** the electronic controls and the switchgear embedded in housing unit to form a single, self-contained housing unit.

Trümper teaches a Mineral Mining Installation With Electronic Control. Trümper teaches control station (Fig.2, Pos. 22) which forms sealed housing comprising switchgear (23) and control device (24) "such as a microprocessor or similar computing circuit" (Col.3, Line 13). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Applicant

Art Unit: 2836

Admitted Prior Art with teachings of Trümper and enclose switchgear and electronic controls in one sealed switchgear-housing unit and locate it near to of a utility pole, because it will prevent unauthorized access to the unit and protect the switchgear and electronic controls from exposure to environment.

Referring to Claim 2-4 and 6-7, Applicant Admitted Prior Art indicate inputs to control circuitry from current transformers (209) and sensing voltage inputs (274). The inputs through interconnection board (262) communicate with CPU (264). It is inherent that signal conditioning unit (254) or interconnecting board (262) provides analog-to-digital conversion to digitize voltage and current waveforms. It is also inherent that the system include some sort of memory devices to store digital representation of the measured currents and voltages as well intermediate data during calculation and buffers to communicate with input/output devices. Prior Art indicates existence of front panel (266) for manual operations, fiber optic converter accessory (270) with RS-232 communication (multi-conductor cable) and inputs/outputs (265) to enable an operator to interface with electronic controls from remote

Art Unit: 2836

location and enter/receive commands and data to the electronic controls.

Referring to Claims 5,17, the Applicant Admitted Prior Art comprises battery (262) to provide power to the unit during a power interruption.

### **Contact information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Benenson whose telephone number is (571) 272-2048. The examiner can normally be reached on M-F (8:20-6:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571) 272-2800 ext 36. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

Art Unit: 2836

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Boris Benenson  
Examiner  
Art Unit 2836

B.B.



**BRIAN SIRCUS**  
**SUPERVISORY PATENT EXAMINER**  
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